

95TH CONGRESS  
1ST SESSION

**H. R. 10057**

## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 1977

Mr. PATTISON of New York introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

# A BILL

To provide for the preservation, interpretation, development, and use of cultural, historic, natural, and architectural urban resources through a system of national cultural parks, to establish a demonstration program to encourage the preservation and management of such resources, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4       SECTION 1. This Act may be cited as the “National  
5 Cultural Park Act”.

## 6 FINDINGS AND PURPOSE

7 SEC. 2. (a) The Congress finds and declares that exist-  
8 ing urban areas are rich in cultural and natural resources of

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**FINAL ACTION**

1 national significance which are to be conserved and revitalized  
2 wherever possible, and that public policy should promote  
3 that objective.

4 (b) The Congress further finds that despite existing  
5 efforts by States and localities and existing Federal pro-  
6 grams, the cultural and natural resources in urban areas  
7 are often lost because the demands for preservation, inter-  
8 pretation, management, or urban revitalization cannot be  
9 adequately met by any one level of government or concerned  
10 agency.

11 (c) It is the purpose of this Act—

12 (1) to establish a commission to undertake a study  
13 and formulate recommendations for the creation of a  
14 National System of Cultural Parks;

15 (2) to establish a demonstration program which  
16 will provide financial assistance to States to develop  
17 cultural park demonstration projects.

18 DEFINITIONS

19 SEC. 3. For the purpose of this Act—

20 (a) the term “National Cultural Park” shall mean  
21 a definable urban or settled area of public and private  
22 uses ranging in size from a portion of a municipality to  
23 a regional area with a special coherence, such area being  
24 distinguished by physical and cultural resources (natural  
25 and/or made-made including waterways, architecture,

1 or artifacts reflecting a period of style or cultural heri-  
2 tage) of greater than local significance and meaning  
3 which play a vital role in the life of the community and  
4 contribute through interpretive, educational, and rec-  
5 reational use to the public at large;

6 (b) the term "Secretary" means the Secretary of  
7 the Interior;

8 (c) the term "Commission" means the Cultural  
9 Park Commission established in section 4 of this Act;

10 (d) the term "management program" includes, but  
11 is not limited to, a comprehensive statement in words,  
12 maps, illustrations, or other media of communication,  
13 prepared and adopted by either a State or political sub-  
14 division with the concurrence of the other, setting forth  
15 objectives, policies, and standards to guide public and  
16 private uses for the preservation, interpretation, devel-  
17 opment, and use of cultural, historic, natural, and archi-  
18 tectural resources of greater than local significance.

19 CULTURAL PARK ADVISORY COMMISSION.

20 SEC. 4. (a) There is hereby established a commission  
21 to be known as the Cultural Park Advisory Commission  
22 (hereinafter referred to as the "Commission").

23 (b) The Commission shall be composed of twenty-five  
24 members, to be appointed as follows:

1           (1) four Members of the Senate, appointed by the  
2       President of the Senate;

3           (2) four Members of the House of Representatives,  
4       appointed by the Speaker of the House of Representa-  
5       tives;

6           (3) five members, appointed by each of the follow-  
7       ing: the Secretary of the Interior, the Secretary of  
8       Housing and Urban Development, the Secretary of  
9       Transportation, the Secretary of Commerce, and the  
10      Administrator of the Environmental Protection Agency;

11          (4) twelve public members appointed by the Presi-  
12      dent of the United States who are not officers or em-  
13      ployees of the Federal Government. Seven of the twelve  
14      shall be officers of a State or a political subdivision of a  
15      State, and five of the twelve shall not be officers or em-  
16      ployees of any government. The members appointed  
17      pursuant to this paragraph shall have knowledge of and  
18      experience in urban affairs and shall represent a geo-  
19      graphical cross section of the United States.

20          (c) The Commission shall elect a Chairperson from  
21      among its members other than the member designated by  
22      the Secretary of the Interior.

23          (d) Members of the Commission shall be appointed  
24      for the existence of the Commission.

1       (e) A vacancy on the Commission shall be filled in the  
2 manner in which the original appointment was made.

3       (f) Members of the Commission who are Members of  
4 Congress, or full-time officers or employees of the Federal  
5 Government, any State or a political subdivision of a State,  
6 shall serve without compensation as such. Other members,  
7 when engaged in activities of the Commission, shall be en-  
8 titled to compensation at the rate of not to exceed \$100  
9 per diem. All members of the Commission shall receive  
10 reimbursement for necessary travel and sustenance expenses  
11 incurred by them in the performance of the duties of the  
12 Commission.

#### 13                                   DUTIES

14       SEC. 5. (a) The Commission shall undertake a compre-  
15 hensive study and formulate recommendations for the crea-  
16 tion of a National System of Cultural Parks. It shall provide  
17 for the preservation, interpretation, development, and use,  
18 by public and private entities, of the natural, historic, cul-  
19 tural, and architectural resources found in definable urban  
20 and settled areas throughout the Nation. Development and  
21 management of the National Cultural Parks shall be condi-  
22 tioned upon partnership between Federal, State, and local  
23 levels of government with Federal financial and technical  
24 support for States with appropriate cultural park manage-

1 ment programs and, to the maximum extent achievable,  
2 shall be accomplished in a comprehensive manner. In formu-  
3 lating the recommendations, the Commission shall include  
4 but not be limited to consideration of—

5           (1) settings in which a distinctive environment or  
6 atmosphere prevails which reflects a particular social  
7 and historical heritage of significance to the Nation;

8           (2) opportunities of utilizing cultural resources as  
9 part of educational programs where both students and  
10 visitors can study and understand historical relationships  
11 and development of such technologies such as the har-  
12 nassing of water power;

13           (3) urban waterways and other natural areas that  
14 offer active and passive recreational opportunities;

15           (4) opportunities for development and revitaliza-  
16 tion of urban areas found in the restoration and man-  
17 agement of urban natural and cultural resources;

18           (5) existing Federal activities affecting the identi-  
19 fication and management of natural and cultural re-  
20 sources in areas which would qualify as a National  
21 Cultural Park;

22           (6) procedures for development, use, and coordina-  
23 tion of activities in National Cultural Parks;

24           (7) mechanisms for coordinating Federal activities  
25 which affect National Cultural Parks and for coordinat-

1       ing Federal, State, and local interests in each such area  
2       which would qualify as a National Cultural Park.

3       (b) Within three years after the date on which funds  
4       first become available to carry out this Act, the Commission  
5       shall submit to the Congress and the President a compre-  
6       hensive report on its study and investigation under this sub-  
7       section which shall include its findings, conclusions, and  
8       recommendations and such proposals for legislation and ad-  
9       ministrative action as may be necessary to carry out its  
10      recommendations.

11                   ADMINISTRATIVE PROVISIONS

12      SEC. 6. (a) The Commission shall have the power to  
13      appoint and fix the compensation of such personnel as it  
14      deems advisable, without regard to the provisions of title 5,  
15      United States Code, governing appointments in the competi-  
16      tive service, and the provisions of chapter 51 and subchapter  
17      III of chapter 53 of such title, relating to classification and  
18      General Schedule pay rates, but at rates not in excess of a  
19      maximum rate of GS-18 of the General Schedule under sec-  
20      tion 5332 of such title.

21      (b) The Commission may procure, in accordance with  
22      the provisions of section 3109 of title 5, United States Code,  
23      the temporary or intermittent services of experts or con-  
24      sultants. Persons so employed shall receive compensation at  
25      a rate to be fixed by the Commission but not in excess of

1 \$100 per day, including traveltime. While away from his  
2 or her home or regular place of business in the performance  
3 of services for the Commission, any such person may be  
4 allowed travel expenses, including per diem in lieu of sub-  
5 sistence, as authorized by section 5703 (b) of title 5, United  
6 States Code, for persons in the Government service employed  
7 intermittently.

8 (c) Each department, agency, and instrumentality of  
9 the United States is authorized and directed to furnish to the  
10 Commission, upon request made by the Chairman, on a  
11 reimbursable basis or otherwise, such statistical data, reports,  
12 and other information as the Commission deems necessary to  
13 carry out its functions under this Act. The Chairman is  
14 further authorized to call upon the departments, agencies,  
15 and other offices of several States to furnish, on a reimburs-  
16 able basis or otherwise, such statistical data, reports, and  
17 other information as the Commission deems necessary to  
18 carry out its functions under this title.

19 (d) The Commission or, on the authorization of the  
20 Commission, any subcommittee or member thereof, may,  
21 for the purpose of carrying out the provisions of this Act,  
22 hold hearings, take testimony, and administer oaths or  
23 affirmations to witnesses appearing before the Commission  
24 or any subcommittee or member thereof.



## DEMONSTRATION GRANTS

1  
2 SEC. 7. (a) The Secretary may make grants under  
3 subsection (d) of this section for the purpose of assisting  
4 such State in the preservation, interpretation, development,  
5 and use of cultural historic, natural, and architectural urban  
6 resources through a cultural park management program or  
7 for activities which will otherwise assist the Commission  
8 in carrying out its responsibilities under this Act.

9 (b) The Secretary shall establish and publish in the  
10 Federal Register criteria on the basis of which applicants  
11 will be selected to receive a grant under this section. Such  
12 criteria shall give priority to applicants who submit applica-  
13 tions to carry out demonstration projects—

14 (1) which will provide timely information and  
15 will be useful to the Commission in undertaking its  
16 study and formulating recommendations under section 5;

17 (2) where the applicant and/or political subdivision  
18 thereof has a mechanism to develop or administer a com-  
19 prehensive cultural park management program;

20 (3) which will further the purposes of this Act.

21 (c) A management program for a cultural park shall  
22 include—

23 (1) an identification of boundaries of the cultural

1 park and, as appropriate, areas within the boundaries  
2 designated for particular nature or intensity of use;

3 (2) an inventory and designation of natural and  
4 cultural resources within the cultural park;

5 (3) statement of the goals, objectives, and policies  
6 to be achieved by the management program;

7 (4) types of use, both public and private to be  
8 accommodated;

9 (5) an identification of the means by which State  
10 and local purposes and policies will be coordinated and  
11 effectuated with respect to land uses referred to in  
12 paragraph (2) ;

13 (6) a description of the organizational structure  
14 proposed to implement such management program, in-  
15 cluding the responsibilities and interrelationships of local,  
16 State, regional, and Federal agencies in the manage-  
17 ment process.

18 (d) The Secretary may make a grant annually to any  
19 State for the purposes described in subsection (a) of this  
20 section if such State reasonably demonstrates to the satisfac-  
21 tion of the Secretary that such grant will be used to develop  
22 a management program consistent with the requirements set  
23 forth in subsection (c) of this section or will otherwise  
24 demonstrate information of use to the Commission. The  
25 amount of any such grant shall not exceed 80 per centum of

1 such State's costs for such purposes in any one year. No State  
2 is eligible to receive more than two grants pursuant to this  
3 subsection.

4 (e) The amount of any grant (or portion thereof) made  
5 under this section which is not obligated by the State con-  
6 cerned during the fiscal year for which it was first author-  
7 ized to be obligated by such State, or during the fiscal year  
8 immediately following, shall revert to the Secretary who  
9 shall add such amount to the funds available for grants under  
10 this section.

11 (f) With the approval of the Secretary, any State may  
12 allocate to any local government, to any areawide agency  
13 designated under section 3334 of title 42 to any regional  
14 agency, or to any interstate agency, a portion of any grant  
15 received by it under this section for the purpose of carrying  
16 out the provisions of this section.

17 (g) Each State receiving a grant under this section shall  
18 agree to—

19 (1) transmit to the Secretary and the Commission,  
20 during its existence, such reports at such times, in such  
21 form, and containing such information as the Secretary  
22 or the Commission determines is necessary to carry out  
23 the provisions of this Act; and

24 (2) provide such fiscal control and fund account-  
25 ing procedures as the Secretary determines are neces-

1 sary to assure proper disbursement and accounting of  
2 Federal funds appropriated under this Act.

3 (h) The Secretary shall consult with the Commission  
4 in planning and carrying out the demonstration program  
5 described in this section. Within ninety days after comple-  
6 tion of the last demonstration project carried out under this  
7 section, the Secretary shall transmit a report to the Presi-  
8 dent and to each House of the Congress. The report shall  
9 contain a detailed statement of the findings and conclusions  
10 of the Secretary concerning methods of preserving and man-  
11 aging urban located natural and cultural resources, together  
12 with his or her recommendations for such legislation or  
13 administrative action concerning such methods as he or she  
14 deems appropriate.

15 (i) The authority to make grants under this section  
16 shall expire September 30, 1980.

17 COORDINATION AND COOPERATION—FEDERAL AGENCIES

18 SEC. 8. (a) In carrying out his functions and responsi-  
19 bilities under this chapter, the Secretary shall consult with,  
20 cooperate with, and, to the maximum extent practicable,  
21 coordinate his activities with other interested Federal  
22 agencies.

23 (b) To the fullest extent practicable and where appro-  
24 priate, each Federal agency shall cooperate with the Com-  
25 mission and with States and political subdivisions thereof

1 which have received a grant under section 7 of this Act to  
2 maximize opportunities for the preservation, interpretation,  
3 development, and use of natural and cultural resources in  
4 urban areas.

5                   AUTHORIZATION OF APPROPRIATIONS

6       SEC. 9. There is authorized to be appropriated such sums  
7 as may be necessary to carry out the purpose of this Act.

8                   EXPIRATION OF THE COMMISSION

9       SEC. 10. The Commission shall cease to exist thirty days  
10 after the submission of its report under section 4.

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By Mr. PATTISON of New York

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